

APPEAL NO. 020205  
FILED MARCH 6, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 11, 2001. The hearing officer resolved the disputed issues before him by determining that the respondent (claimant) sustained a compensable injury on \_\_\_\_\_, and that he had disability from July 20, 2001, through December 11, 2001. The appellant (carrier) appealed on sufficiency grounds. There is no response from the claimant in the file.

DECISION

We affirm.

The hearing officer did not err in determining that the claimant sustained a compensable injury and that he had disability. Conflicting evidence was presented on the disputed issues. The claimant testified that he sustained a compensable injury on \_\_\_\_\_, while lifting a compressor, and that he had disability from July 20, 2000, through the date of the hearing. The carrier presented evidence to support its position that the claimant's injury was not sustained in the course and scope of his employment. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given the evidence. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). Nothing in our review of the record indicates that the challenged determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to disturb those determinations on appeal. Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TRANSCONTINENTAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION  
350 N. ST. PAUL STREET  
DALLAS, TEXAS 75201.**

---

Gary L. Kilgore  
Appeals Judge

CONCUR:

---

Elaine M. Chaney  
Appeals Judge

---

Thomas A. Knapp  
Appeals Judge